

REMARKS:

Claims 1-3 and 6-9 were pending in the case. Claims 1-3 have been cancelled and Claim 6 has been amended. New Claims 10 and 11 are presented. Claims 6-11 are now pending in the application.

In the Office Action the Examiner determined that the prior art does not disclose or render obvious the use of differing slopes as a function of time to determine relative amounts of soluble antioxidants and complex tannins. However, the Examiner also determined that the specification did not provide support for the specific steps laid out in Claim 6. Claim 6 has now been amended to claim material only explicit in the specification. Specifically, measurement of iodide ions are made at at least two different time points with the first point being at about one minute after the start of the reaction. If the slope between the measurements is shallow, the results indicate a preponderance of simple soluble antioxidants. If the slope between the time points is steep, this is an indication of complex dietary tannins. The reading at the first point is indicative a such simple antioxidants (new Claim 11). Applicant believes that all aspects of this claimed method are supported by the specification.

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance. Reexamination and reconsideration of the application, as amended, are requested.

If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at the Los Angeles, California telephone number (310) 734-5403 to discuss the steps necessary for placing the application in condition for allowance.

If there are any fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-2567, referencing docket number 355864.00600.

Respectfully submitted,

REED SMITH CROSBY HEAFEY

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By: Stefan J. Kirchanski
Stefan J. Kirchanski
Registration No. 36,568
Attorney for Applicant(s)

1901 Avenue of the Stars, Suite 700
Los Angeles, CA 90067
Phone: (310) 734-5200
Fax: (310) 734-5299